W.P.(C) No. 2493 OF 2006

09.09.2006 Heard Mr. K.K.Nayak, learned counsel for the petitioner, and Mr.H.K.Tripathy, learned counsel for the Corporation.

The petitioner has filed this writ petition to quash the order dated 21.01.2006 vide Annexure-1 by which direction has been given for recovery of amount from the salary of the petitioner for different months.

Mr. K.K.Nayak, learned counsel for the petitioner submits that direction for recovery of amount from the salary of the petitioner is contrary to the provisions of law, inasmuch as no opportunity of hearing has been given to the petitioner.

Learned counsel for the opposite parties submits that the order impugned is appealable one. The petitioner instead of filing appeal has approached this Court. Therefore, the writ petition should not be entertained.

Considering the contentions raised by the parties, and without expressing any opinion on the merits of the case, this petition is disposed of with the direction that let the petitioner prefer an appeal before the appellate authority within a period of thirty days. If the petitioner files such appeal, the appellate authority shall consider the same after affording opportunity of hearing to the petitioner.

The writ petition is disposed of accordingly.

Urgent certified copy of this order be granted on proper application.

Dr. B.R. Sarangi, J.